

IN RE:

THOMAS H. ALS,
LINDA R. ALS,CHAPTER 13
BANKRUPTCY NO. 05-03542MCHAPTER 13 TRUSTEE'S FINAL REPORT AND
ACCOUNT AND NOTICE OF COMPLETION

Debtors.

COMES NOW the Chapter 13 trustee and states that the plan was completed and the debtors are entitled to a discharge.

STATEMENT OF RECEIPTS

FILED
US BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

SEP 02 2008

I. FUNDS RECEIVED BY TRUSTEE

(a) Gross payments received from or on behalf of debtors
(includes total amount of paychecks when trustee
receives paychecks)

\$55,966.91

SEAN F. McAVOY, CLERK

(b) Other receipts (source and amount)

\$0.00

(c) Total funds received [(a) and (b) above]

\$55,966.91

II. LESS REFUNDS TO DEBTORS

(a) Refunds to debtors in cashing paychecks

\$0.00

(b) Refunds to debtors upon dismissal prior to confirmation

\$0.00

(c) Other refunds to debtors

\$0.60

(d) Total refunds [(a), (b) and (c) above]

\$0.60

III. NET FUNDS AVAILABLE FOR DISBURSEMENTS

\$55,966.31

STATEMENT OF DISBURSEMENTS

IV. PAYMENTS UNDER THE PLANS (Itemized on Exhibits Attached)

(a) Secured Creditors (Exhibit A)

\$0.00

(b) Priority Creditors (Exhibit B)

\$0.00

(c) Unsecured Creditors (Exhibit C)

\$49,678.62

(d) Paid to Debtors' Attorney

\$1,200.00

(e) Other Disbursements

\$0.00

(f) Total Payments Under the Plan

\$50,878.62

V. ADMINISTRATIVE DISBURSEMENTS

(a) Clerk of Court, Court Costs

\$0.00

(b) Fee of Standing Trustee

\$5,087.69

(c) Total Administrative Disbursements

\$5,087.69

VI. IF CONVERTED, AMOUNT PAID TO CHAPTER 7 TRUSTEE

\$0.00

VII. TOTAL DISBURSEMENTS [Add IV(f), V(c) and VI]

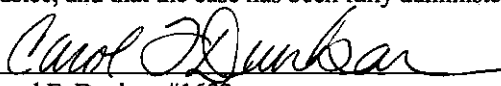
\$55,966.31

VIII. BALANCE ON HAND [Item III less Item VII]

\$0.00

Carol F. Dunbar, Standing Trustee for this case, certifies to the Court and to the United States Trustee that she has faithfully and properly fulfilled the duties of the Standing Trustee, and that the case has been fully administered.

DATED: August 29, 2008


Carol F. Dunbar, #1682

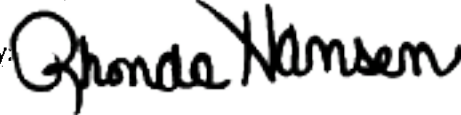
Chapter 13 Trustee
531 Commercial Street, Suite 500
Waterloo, IA 50701
Telephone: (319) 233-6327
Fax: (319) 233-0346

NOTICE IS FURTHER GIVEN THAT UNLESS A WRITTEN APPLICATION FOR A HEARING IS FILED ON OR BEFORE 25 DAYS FROM THE DATE OF THIS NOTICE AND SUMMARY, THE ESTATE WILL BE CLOSED AND THE TRUSTEE AND THE SURETY ON THE TRUSTEE'S BOND WILL BE RELEASED.

DATED: September 2, 2008

CLERK, U.S. BANKRUPTCY COURT

By:



Deputy Clerk

P.O. Box 3857

Sioux City, IA 51102-3857

EXHIBIT C

PAYMENTS MADE TO UNSECURED CREDITORS

CLAIM	CREDITOR	AMOUNT PAID
1	WELLS FARGO CARD SERVICES	\$2,277.26
2	DISCOVER BANK	\$3,214.38
3	PORTFOLIO RECOVERY ASSOC	\$3,362.32
4	TARGET NATIONAL BANK	\$86.68
5	ECAST SETTLEMENT CORPORATION	\$1,687.69
6	RESURGENT CAPITAL SERVICES	\$4,973.68
7	RESURGENT CAPITAL SERVICES	\$5,297.79
9	UMB BANK	\$2,339.53
10	RESURGENT CAPITAL SERVICES	\$3,739.37
11	ECAST SETTLEMENT CORPORATION	\$3,614.72
12	ECAST SETTLEMENT CORPORATION	\$4,099.44
13	ECAST SETTLEMENT CORPORATION	\$4,964.74
14	ECAST SETTLEMENT CORPORATION	\$1,096.11
15	RESURGENT CAPITAL SERVICES	\$4,755.69
16	RESURGENT CAPITAL SERVICES	\$4,169.22
UNSECURED CREDITORS TOTAL:		\$49,678.62

IANB1328

Exhibit #1

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE: THOMAS H. ALS
LINDA R. ALS

Chapter 13

Debtor.

Bankruptcy No. 05-03542

DEBTOR'S CERTIFIED MOTION
FOR ENTRY OF DISCHARGE ORDER AND
NOTICE OF DEADLINE TO OBJECT

The undersigned debtor moves for entry of discharge, and in support of debtor's motion certifies, under penalty of perjury, the following (a statement is checked only if it is true and accurate):

1. Plan Payments - 11 U.S.C. § 1328 (a) - (This statement must be checked or the motion will be denied without hearing.)

 x Debtor has completed all payments to the trustee under the confirmed chapter 13 plan.

2. Domestic Support Obligations - 11 U.S.C. § 1328 (a) - (Check (a), (b), or (c)):

(a) x Debtor has not been required by a judicial or administrative order or by statute to pay a domestic support obligation, as defined in 11 U.S.C. § 101(14A).

OR

(b) Debtor is required by a judicial or administrative order or by statute to pay a domestic support obligation as defined in 11 U.S.C. § 101(14A). All amounts payable under such order or statute which were due on or before the date of this certification (including amounts due before the bankruptcy petition was filed, but only to the extent provided for by the confirmed plan) have been paid.

The name and address of each person to whom I owe a domestic support obligation is as follows:

OR

- (c) _____ Debtor is required by a judicial or administrative order or by statute to pay a domestic support obligation as defined by 11 U.S.C. § 101(14A). Debtor has **NOT** made all payments which became due prior to the date of this certification.

The name and address of each person to whom I owe a domestic support obligation is as follows:

3. Financial Management Course - 11 U.S.C. § 1328 (g) - (If this statement is not checked, the motion will be denied without notice or hearing.)

 x After filing the bankruptcy petition, Debtor completed an instructional course concerning personal financial management as described in 11 U.S.C. § 111. A copy of the certificate of completion has been separately filed with the court.

4. Prior Discharges - 11 U.S.C. § 1328 (f) - (One of these alternatives must be selected.)

 x Debtor **HAS NOT RECEIVED** a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief in this case (normally the date of the filing of the bankruptcy petition),

and Debtor **HAS NOT RECEIVED** a discharge in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of the order for relief.

OR

_____ Debtor **HAS RECEIVED** a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief in this case (normally the date of the filing of the bankruptcy petition),

OR

_____ Debtor **HAS RECEIVED** a discharge in a case filed under chapter 13 of

the Bankruptcy Code during the 2-year period preceding the date of the order for relief in this case.

5. Homestead Exemptions - 11 U.S.C. § 1328 (h) and 11 U.S.C. § 522(q) - (One of these two alternatives must be selected.)

X Debtor has not claimed, under state law, exemption of an interest in the following kinds of property having an aggregate value in excess of \$136,875.00:

- A. real or personal property that Debtor or a dependent of the Debtor uses as a residence;
- B. a cooperative that owns property that the Debtor or a dependent of the Debtor uses as a residence;
- C. a burial plot for the Debtor or a dependent of the Debtor; OR,
- D. real or personal property that the Debtor or a dependent of the Debtor claims as a homestead.

OR

Debtor has claimed, under state law, exemption of Debtor's interest in the following kinds of property having an aggregate value in excess of \$136,875.00:

- A. real or personal property that Debtor or a dependent of the Debtor uses as a residence;
- B. a cooperative that owns property that the Debtor or a dependent of the Debtor uses as a residence;
- C. a burial plot for the Debtor or a dependent of the Debtor; OR,
- D. real or personal property that the Debtor or a dependent of the Debtor claims as a homestead.

6. Proceedings Relating to Delay in the Entry of Discharge - 11 U.S.C. § 1328 (h) and 11 U.S.C. § 522(q) - (One of these two alternatives must be selected):

There IS currently pending a proceeding in which the Debtor may be convicted of a felony (defined in 18 U.S.C. § 3156(a)(3) as an offense punishable by a maximum term of imprisonment of more than one year)
OR a proceeding in which Debtor may be found liable for a debt:

- (1) arising from any violation of federal securities laws, any state securities laws, or any regulations or orders issued under federal or

state securities laws;

- (2) arising from fraud, deceit, or manipulation in a fiduciary capacity or in connection with the purchase or sale of any security registered under § 12 or 15(d) of the Securities Exchange Act of 1934 or under § 6 of the Securities Act of 1933;
- (3) arising from any civil remedy under § 1964 of Title 18 of the United States Code (Racketeer Influenced and Corrupt Organizations Act (RICO)); or
- (4) arising from any criminal act, intentional tort, or willful or reckless misconduct that caused serious physical injury or death to another individual in the preceding five (5) years.

OR

X There **IS NOT** currently pending a proceeding in which the Debtor may be convicted of a felony (defined in 18 U.S.C. § 3156(a)(3) as an offense punishable by a maximum term of imprisonment of more than one year) OR a proceeding in which Debtor may be found liable for a debt:

- (1) arising from any violation of federal securities laws, any state securities laws, or any regulations or orders issued under federal or state securities laws;
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- (4) arising from any criminal act, intentional tort, or willful or reckless misconduct that caused serious physical injury or death to another individual in the preceding five (5) years.

7. Current Address:

My most recent address is as follows, and, if applicable, I have filed the required change of address notification with the Clerk of Court:

96 Country Circle

Mason City, IA 50401

(address)

8. The name and address of my current employer(s) is as follows:

Name: I.C. Systems Mercy Medical Center-North Iowa

Address: 444 Hwy 96 East 1000 4th Street SW
Box 64378 PO Box 551
St. Paul, MN 55164-0378 Mason City, IA 50402-05551

9. **NOTICE OF TIME TO OBJECT TO MOTION FOR DISCHARGE OR TO SEEK DELAY:**

Pursuant to Standing Order 07-04 the parties served with this motion shall have to and including August 26, 2008 to object to the motion for discharge or to seek delay in the entry of discharge.

I declare under penalty of perjury that the facts stated in this motion are true and accurate.

7-31-2008
Date Signed

Thomas Hall
Debtor

7-31-2008
Date Signed

Linda R. Allen
Debtor

Attorney's Certification

I certify that I am the attorney for the Debtor in this bankruptcy case, and that prior to the execution and filing of this motion, I have explained to Debtor the meaning of the allegations contained herein.

08/04/2008
Date Signed

J. Mathew Anderson AT0000452
Attorney J. Mathew Anderson

Certificate of Service

The undersigned hereby certifies that on August 11, 2008, a true and correct copy of this Certified Motion and Notice of Deadline to Object was served on the standing trustee, the U.S. trustee, the U.S. attorney, and the Iowa Department of Human Services/Child Support Division, by either first-class U.S. mail or via the CM/ECF system of the United States Bankruptcy Court for the Northern District of Iowa. If the debtor is appearing pro se, the clerk's office will serve this Motion and a notice of time to object.

8/11/2008
Date Signed

J. Mathew Anderson AT0000452
Attorney J. Mathew Anderson

IANB1328

Exhibit #1

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE: THOMAS H. ALS
LINDA R. ALS

Chapter 13

Debtor.

Bankruptcy No. 05-03542

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NOTICE OF DEADLINE TO OBJECT

The undersigned debtor moves for entry of discharge, and in support of debtor's motion certifies, under penalty of perjury, the following (a statement is checked only if it is true and accurate):

1. Plan Payments - 11 U.S.C. § 1328 (a) - (This statement must be checked or the motion will be denied without hearing.)

 x Debtor has completed all payments to the trustee under the confirmed chapter 13 plan.

2. Domestic Support Obligations - 11 U.S.C. § 1328 (a) - (Check (a), (b), or (c)):

(a) x Debtor has not been required by a judicial or administrative order or by statute to pay a domestic support obligation, as defined in 11 U.S.C. § 101(14A).

OR

(b) Debtor is required by a judicial or administrative order or by statute to pay a domestic support obligation as defined in 11 U.S.C. § 101(14A). All amounts payable under such order or statute which were due on or before the date of this certification (including amounts due before the bankruptcy petition was filed, but only to the extent provided for by the confirmed plan) have been paid.

The name and address of each person to whom I owe a domestic support obligation is as follows:

OR

- (c) _____ Debtor is required by a judicial or administrative order or by statute to pay a domestic support obligation as defined by 11 U.S.C. § 101(14A). Debtor has **NOT** made all payments which became due prior to the date of this certification.

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and Debtor **HAS NOT RECEIVED** a discharge in a case filed under chapter 13 of the Bankruptcy Code during the 2-year period preceding the date of the order for relief.

OR

_____ Debtor **HAS RECEIVED** a discharge in a case filed under chapter 7, 11, or 12 of the Bankruptcy Code during the 4-year period preceding the date of the order for relief in this case (normally the date of the filing of the bankruptcy petition),

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_____ Debtor **HAS RECEIVED** a discharge in a case filed under chapter 13 of

the Bankruptcy Code during the 2-year period preceding the date of the order for relief in this case.

5. Homestead Exemptions - 11 U.S.C. § 1328 (h) and 11 U.S.C. § 522(q) - (One of these two alternatives must be selected.)

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- (3) arising from any civil remedy under § 1964 of Title 18 of the United States Code (Racketeer Influenced and Corrupt Organizations Act (RICO)); or
- (4) arising from any criminal act, intentional tort, or willful or reckless misconduct that caused serious physical injury or death to another individual in the preceding five (5) years.

7. Current Address:

My most recent address is as follows, and, if applicable, I have filed the required change of address notification with the Clerk of Court:

96 Country Circle

Mason City, IA 50401

(address)

8. The name and address of my current employer(s) is as follows:

Name: I.C. Systems Mercy Medical Center-North Iowa
Address: 444 Hwy 96 East 1000 4th Street SW
Box 64378 PO Box 551
St. Paul, MN 55164-0378 Mason City, IA 50402-05551

9. **NOTICE OF TIME TO OBJECT TO MOTION FOR DISCHARGE OR TO SEEK DELAY:**

Pursuant to Standing Order 07-04 the parties served with this motion shall have to and including August 26, 2008 to object to the motion for discharge or to seek delay in the entry of discharge.

I declare under penalty of perjury that the facts stated in this motion are true and accurate.

7-31-2008
Date Signed

Thomas H. Allen
Debtor

7-31-2008
Date Signed

Linda R. Allen
Debtor

Attorney's Certification

I certify that I am the attorney for the Debtor in this bankruptcy case, and that prior to the execution and filing of this motion, I have explained to Debtor the meaning of the allegations contained herein.

08/04/2008
Date Signed

J. Mathew Anderson AT0000452
Attorney J. Mathew Anderson

Certificate of Service

The undersigned hereby certifies that on August 11, 2008, a true and correct copy of this Certified Motion and Notice of Deadline to Object was served on the standing trustee, the U.S. trustee, the U.S. attorney, and the Iowa Department of Human Services/Child Support Division, by either first-class U.S. mail or via the CM/ECF system of the United States Bankruptcy Court for the Northern District of Iowa. If the debtor is appearing pro se, the clerk's office will serve this Motion and a notice of time to object.

8/11/2008
Date Signed

J. Mathew Anderson AT0000452
Attorney J. Mathew Anderson